** FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

Criffin (Last Name)	42254 (Identification Number)	COMPLAINT	
Kenneth (First Name) S.M.C.T. A (Institution) P.O.Box 1419 (Address) (Enter above the full nam plaintiff in this action)	LFE (Middle Name) irea #2, E-2 Leakesville, Ms. 39451 e of the plaintiff, prisoner, and address V.	SOUTHERN STREET OF MIN 15 20 JUN 15 20 CIVIL ACTION N. MBER:	12 12cv96-DRT-AB
Major Gruh J. Alexano Willie Boo Sat. Jack (Enter delive the full name)	der		(to be completed by the Court)
	OTHER LA	AWSUITS FILED BY PLAINTIE NOTICE AND WARNING:	₹ F
The pl	aintiff must fully complete the fol	llowing questions. Failure to do so may	result in your case being dismissed.
A. Have yo	u ever filed any other lawsuits in a	a court of the United States?	Yes () No ()
is more	nswer to A is yes, complete the foll than one action, complete the foll al sheets of paper.) Parties to the action: Criffin 1	lowing information for each ant every civillowing information for the actitional act	l action and appeal filed by you. (If there tions on the reverse side of this page or
2.	Court (if federal court, name the court Souther	district, if state court, name the county):_ rn District, Hinds	U.S. District Court
3.	Docket Number: 3'.09-CV-	-00506-DPJ-JCS	
4,	Name of judge to whom case was a	assigned: <u>unone</u>	
5.	Disposition (for example: was pending?): I the plaint	s the case dismissed? If so, what griff dismissed the case. It's r	rounds? Was it appealed? Is it still

PARTIES

(In item I below, place your name and priso for additional plaintiff, if any).	oner number in the first blank and place your present address in the second blank. Do the same
1. Name of plaintiff: Kenneth Lee	Griffia Prisoner Number: 42154
Address: S.M.C.I. Area 2, E	
P.O. Box 1419	
Leakesville, Ms. 39	
(In item II below, place the full name of employment in the third blank. Use the edefendants.)	the defendant in the first blank, his official position in the second blank, and his place of space below item II for the names, positions, and places of employment of any additional
11. Defendant: Major Grubbs	is employed as
Major	at E.M.C.E PO.Box 4317
Meridian, Ms. 3930	07
NAME: Kenneth Lee Griffin	ADDRESS: S.M.C.T. Area#2, F. 2 P.O.BOX1419 Leakesville, MS. 3945
DEFENDANT(S):	
NAME J. Alexander	E.M.C.F. P.O.Box 4211 Meridian, Ms. 39307
Willie Booker	E.M.C. F. P.O. BOX 425 Meridian. MS. 39307
Sgt Jackson	E.M.C.F. P.O. BOX 4217 Meridian, Ms. 39307

GENERAL INFORMATION

A.	At the tim	e of the incident complained of in this complaint, were you incarc grated because you had been convicted of a crime?
	Yes (No (1)
B.	Are you p	resently incarcerated for a parole or probation violation?
	Yes ($\boldsymbol{\nu}$	No()
C.	At the tim (MDOC)	e of the incident complained of in this complaint, were you an invate of the Mississippi Department of Corrections
	Yes (🏏	No()
D.	Are you o	urrently an inmate of the Mississippi Department of Correction: (MDOC)?
)	Yes (🗸	No()
Е	Have you	completed the Administrative Remedy Program regarding the claims presented in this complaint?
	Yes (🗸	No (), if so, state the results of the procedure: I was que my complete tion ARI certificate.
		urther shengnigans play'd on me. see attachment's
F.		not an inmate of the Mississippi Department of Corrections, answer the following questions:
:	3. J	Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?
	7	res(V) No()
	2.	State how your claims were presented (written request, verbal request, request for forms):
	-	See attached, written request's, request forms and copy's of
	-	Grievance and response.
	3.	State the date your claims were presented: 4-29-2010
	4.	State the result of the procedure: See attached completed ARP Certificate
·	-	Nothing was and has been done on this matter

STATEMENT OF CLAIM

	se. Describe how each defendant is involved. Also, include the names over any legal argument: or cite any cases or statutes. If you intend to allegach claim in a separate paragraph. (Use as much space as you need, attac)
This complaint concerns my propert	ty that was placed in the property room at E.M.C.F.
I have written request to the staf	f there asking firmy property, property has not
been return as of 5-21-12.	1 1 property rices 1301
· · · · · · · · · · · · · · · · · · ·	whom responded to my Request For Administrative
Remedies.	with tesperature to the negative
These defendants are being Sued	Jointly and individually and in their offical
Capacity under color of law.	The state of the s
	RELIEF
State what relief you seek from the court. Make no That my property be return for that	legal arguments. Cité no cases or statutes.
	t and attorney's fees as it is the defendant's
fault that I had to initiate this	Action.
	lief deemed Julit and proper by the court
Signed this 13 day of Jur	ng ,20 12
	Kernoth One Strallian + 42254
•	Signature of plaintiff, presoner number and address of plaintiff
I declare under penalty of perjury that the f	foregoing is true and correct.
6-13-12	tinnette lee Southin
Date)	Signature of plaintiff



East Mississippi Correctional Facility

ARP THIS IS A REQUEST FOR ADMINISTRATIVE REMEDY

Kenneth L. Gr	P.	1/00-					
Inmate Name	3567	4005	<u></u>	1-R	Cell#215		
5		MDOC#		Flousin	g Unit)	
Date of Incident:	4-29-6	29			D 21111		
Time of Incident:	09:37)					
Place of Incident:	E.M.C.E	Intake			•		
Alleged complaint	Property	lost or sto	len				
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485-6255

Department of Corrections Offender Request Form

6-8-10	
Date (1)	(print) Offender Number: 42254
Offender Name: Kenneth L. Brittin	
Unit Assignment: A-1 Bed # 196	Work/Program: N/A
Unit Assignment: R 1	
Subject Matter of Request (Check One)	
ODepartment Regulations/Rules	Conflict with Offenders
(Commissary	OComputation Time
Conflict with staff	ODisciplinary Procedures
OFood	OTrusty Time
OMeritorious Earned Time	Offender Accounts
GHousing Assignment	Quit Physical Conditions
Quait Regulations	OJob Assignments
CLegal Services	OMail
OMedical /Dental Services	Personal Property
Offeuder Marriages	©Recreation
CiReligious Issues	Offender Telephones
OTransfert .	□Visitation □Custody/Classification
Program Assignments	
OState Issue/Clothing	Oother
To: Warden Davis	Marden SMCI
Miss Olla	
Brief Statement of the Request (a maximum of	one (1) additional page may be attached).
I'm requesting assistance to obtain	Let and the day I was transferred
Mai Grubbs has it and a copy of my	need to know the status.
he told me that he would send of	11000
Thanks for your help in this man	
DO NOT WRITE	BELOW THIS LINE
Staff	major Litubles at
Response: You Mile Th White	10 Agend it to you!
I coiled him the strated	that they were abouting
W COMPANY THE WHOLE	
- fea it:	
<u> </u>	
Lt. R. Bonner	7/14/10
Stome for ma / Ville	

PATED 10-13-2010

70'. E.L. Sparkman OCI/Superindendent 123 North President Street Jacksons MS. 39202

From Konneth L. Cr: Alin 477254
SMCT. Area 2,D-2, A-20ne Bed 81
9.0. Box 1919
Leakeville, Ms. 39451

RECEIVED

OCT 15 2010

DEPUT / COMMISSIONER OF INSTITUTIONS

RE: Sensitive Isoue Request concerning my personal property, lost or stolen at 1. M.C.F.

Dear Mr. Sparkman Sir. I am writing you this letter for help and assistance in a sense of great urgency as well as for your personal concern, Mr. Sparkman, Sir, Major Grubbs of E.M.C.F., had my personal property last he called me to his office and Show'd it to me, and stated that when I transferred out he would have it ready for me, But that day came and he didn't have it, but told me that he would find it and send it to me. Sir, I've done an (ARP) on the marter way back on the 12 4.8-2010, I had SMCI It. R. Bonner to call him on the 7-11-2010 about my property and he stated to her that he was looking for it? My sister Mrs Sylvia Robinson call'd him and he told her he was going to get it to me, but has as of yet, Mr. Sparkman, Sir no one wants to deal with the merits of my claims? my property was purchased from M.D.O.C., and Unit Manager Mr. Booker and Mujor Grubbs at E.M.C.F., has a copy of my personal property receipt as well as my sister. Sir. I gust wairt my property. Im sick of the shonanigans that's being played by E.M.C.F. department's heads. Would you please help me with this matter at your earlist convenience Mr. Sparkman, Major Grubbs number is 601-485-5255. I thank you in advance for your co-operative efforts Sir, as well as for your genvine understanding in this matter.

Ruspect Pully Submitted Konneth Suffer # 42254

1 1

	Notice of Confiscation of			•	
To:	Inmate: <u>Kannel</u> (Prin	K A RU	fen Number:	42254	
Please be acmember du	dvised that the following ring an authorized searc	non allowable h: (List each i	items were removed tem removed)	d and confiscated by a	staff
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D how	Phones Cone	Course	etsa can	R	
The reason	for removal was: (Give)	full explanation			
You are adv	rised that you may file a	grievance thro	ugh normal grievas	nce procedures if you o	bject
(Signature	of confiscating officer)	Time	D D	ate	
Inmate noti	fied on	atTik	by	Signature	•
cc: Unit File	NON All	wable.	items she	et was	
 I - 185	Never Signe	d by S	tg. Jackson	Who	
1 - 103	CONfiscated	MY P	roperty.	and the second second	

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FORM ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS

NUMBER <u>EMCF</u> - 10 . 576

FIRST STEP RESPONSE FORM

of the date the request was initiated.	Claims Adjudicator within 10 days
TO: KUNCH Girthin 42254	ENCE
Offender's Name and Number	Housing Unit
FROM: Maj Mabb	ENCF
Person to whom 1st Step is Directed	Title/Location
on hes arrent ussue le	wire ma coder
on his defeny possee le	preds TO
Commerce to could noted mes	Michely With
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NOST STORE	
5-5-290	~
Date	Signature

If you are not satisfied with this response, you may go to STEP 2 by filling out the second step section of Form ARP-1 and sending the pink copies of ARP-1 and ARP-2 to the Superintendent. It must be received in the Superintendent's office within 5 days of the date of this response.

INSTRUCTIONS TO RESPONDENT: Send original along with STEP 3 and STEP 2 copies to the Legal Claims Adjudicator. Keep Respondent's copy. NOTE: A copy of all documents referenced in the response must be attached and returned to the Legal Claims Adjudicator.

INSTRUCTIONS TO OFFENDER: This original is for you to keep.

Document 1

CERTIFICATE

Inmate Name

MDOC NO?

ARP No.>

The Administrative Remedy Program administered by the Mississippi Department of Corrections was adopted February 15, 1984, pursuant to an order entered by U.S. District Court Judge L.T. Senter, Senior Judge, of the United States District Court, Northern District for Mississippi.

This order required that there be three steps to the procedure.

Subsequently, a number of states, including Miss ssippi, have determined that the three step process is somewhat cumbersome and that a two step process is all that is necessary in order to ensure a complete administrative review process.

Pursuant to the motion of the MDOC, Judge Davis entered an Amended Order on August 19, 2010, mandating that a two st∋p process be instituted September 17, 2010.

A copy of this order is posted in all housing units.

Therefore, based upon the information outlined above, this Certificate is issued so that you may have immediate judicial access.

This the ______ day of _(

2010

Tracey Sanders, Administrator Administrative Remedy Program Case 4:12-cv-00096-FKB-FKB Document 1 Filed 06/15/12 Page 12 of 20 FORM ARP-1

NUMBER ENCE_ 10 -- 576.

OFFENDER'S RELIEF REQUEST FORM

Type or use ball-point pen.	MNOJ 16310934 TURM
TO: Maj. Skull	S.Mar
First Step Respondent	Location
FROM: Kennth Shilk	NOTELL ENCY
Offender's Name and Nur	mber Housing Unit
Date of Incident	
ACCEPTED. This request comes to you from the offender. Please return your respon	e Legal Claims Adjudicator. See the attached request from the set to this office within 10 days of this date.
REJECTED. Your request has been rejected for the	he following reascn(s):
4/20/10 Date	1000
SECOND STEP (Pink Copies)	Logal Cla ms Adjudicator
On May 1, 2010 (date), I received	d a written response to my First Step request. I am not satis- sched Second STEP Attachment
Therefore	
within 5 days of my receiving the First Step respons	ending the pink copy of this form (ARP-1), the pink copy of dent. This request must reach the Superintendent's office se.
Date	Signature
THIRD STEP (Light Yellow Copies) On 124 1, 2010 (date), I received satisfied with this response because 300 flat	a written response to my Second Second
— Jee 44	tached Second STEP Attachment;
I am commencing the Third Step by sending the lig my First and Second responses, to the Commissione the Second Step response.	ht yellow copy of this form and the light yellow copies of er. This request must be sent within 5 days of my receiving
May 1/5 2010 Kan	mil Soilling
Date	Signature
INSTRUCTIONS TO OFFENDER: This original is for	you to keep

Case 4:12-cv-00096-FKB-FKB Document 1 Filed 06/15/12 Page 13 of 20 FORM ARP-3

MISSISSIPPI DEPARTMENT OF CORRECTIONS

NUMBER <u>EMCF - 2010 - 576</u>

SECOND STEP RESPONSE FORM (SUPERINTENDENT)

Type or use ball point pen. You must respond to the offender w request.	rithin 25 days of receipt of the offender's
TO: Inmate Kenneth Griffin, 42254 Offender's Name and Number	Housing Unit
FROM: Dale Caskey	-
Superintendent	
INMATE GRIFFIN, FIRST STEP RESPONDENT EXPLANEEDED TO GO THROUGH TO RESOLVE THIS ISSU YOUR GRIEVANCE IS MOOT.	NINED WHAT STEPS YOU E. UNTIL YOU HAVE DONE THAT
05-10-10 Date	
Date	p sintendent's Signature

If you are not satisfied with this response, you may go to STEP 3 by filing out the third step section of ARP-1 and sending the light yellow copies of ARP-1, ARP-2, AND ARP-3 to the Commissioner, Mississippi Department of Corrections. These forms must reach his office within 5 clays of the date of this response.

INSTRUCTIONS TO SUPERINTENDENT: Send original and STEP 3 copy to the inmate. Keep Superintendent's Copy.

INSTRUCTIONS TO OFFENDER: This original is for you to keep.

OFFENDER'S ORIGINAL

Superintendent Dale Caskey responed segatively to plaintiff's second step (ARP) £mcf-3010-576, by telling me that I need to go through steps to resolve this issue and until I've done that your grievance is moot, plaintiff contend that over a number of months he's written immate request forms to see if his property is still in the property room and has even given Mr. Booker a property on this day inwhich he requested it. But still has gotten a reply back, Sir, I want to see my property, or if my property has been stolen I want the property value place'd in my immate account ASAP, for my relief requested. See Attached inmate request form to Mr. Booke

Page 15 of 20

Revision

Issue Date.

The GEO Group, Inc. East Mississippi Correctional Facility

Inmate Request Form

Inmate Name: Kenneth 2. Griffin	MDOC#: <u>4</u> 2254
Housing Assignment: 1-B Cell#215	40001
Date: 3-16-2010	
Warden Warden of Security Telephone Major Captain Chaplain Medical Education P Telephone Grievance Lib Badges Library Gym	Unit Manager Psychologist Mental Health Counselor Case Manager
Inmate Request: Mr. Booker	
Sir, I'm writing this request seeking assis	stance in a matter
Lakewood	ed League TV
Thead prones, lextenion loid I Cable cord 2.	Lance II ? and
trows that there has been break-ins in the page	perty room, so I need
The state of the s	O,
this request to your office for reddress with hope efforts in handleing this matter. Respectfull	5 of your co-operative
Constitution of the marker despectable	Syportted
Official Use Only:	fin_
Ontain ose Only:	
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03/19/2613	
Departmental Signature	
L:\Forms\inmate Forms\inmate Request Form.doc	Revision No: 3 Issue Date: 11/14/08
·	11/14/06

Maj Grubb responed negatively to complaintiff's (ARP) See Attached First Step Response Form-2 EMCF-10-576, Complaintiff even written to Maj Grubb requesting to see Said property and after Complaintiff didn't get a response from the request. Complaintiff talk'd with Maj Grubb about his property and Maj Grubb asured Complaintiff. That he still had Complaintiff property, since the time he call's Complaintiff to his office and Show'd it to me, But after hear about a number of break-ins the 1-C" property room, I ask's requested to see my property to staff, Unit (*Manager Mr. Books both verbal and written, Now if my property has been stolen, I want the property value place'd in my inmate account, ASAP!, for Relief Requested. because all my property was brought from want the property value place'd in my inmate account, months for Relief Requested because all my property was brought from the M.D.O.C. Canteen. See Attached Intake property sheet's they gave me when I arrived at E.M.C.F. Exhibit A*, B*, Complaintiff Contends that E.M.C.F. should have been let him know the Status of Said property eight months ago, and not force him to suffer mental distress. Complaintiff pray's that reddress be granted through normal grevance procdures before the action of replevin may be instituted in the Justice Court. Court.

Resportully Submitted
Kenneth Shiffi * 42254
E.M.C.F. P.O.Box 4217 4-0-213
106 Hwy 80 West
Meridian, NS. 39307

FORM ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS

NUMBER	11	<u> </u>		 <i>A</i>	<u> </u>
			4		

FIRST STEP RESPONSE FORM

ТО:								7. Tr	
* ·	Offender's Name and Number				Housing Unit				
FROM:	<u> </u>	11						e de la composition della comp	
	Person	to whom l	st Step is D	irected			<u></u>	Title/Loca	ition
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	·		<u> </u>	t e			·		
	Date	e					Signature		

If you are not satisfied with this response, you may go to STEP 2 by filling out the second step section of Form ARP-1 and sending the pink copies of ARP-1 and ARP-2 to the Superintendent. It must be received in the Superintendent's office within 5 days of the date of this response.

Date: July 1,2010

To: David Petrie, Legal Claims Adjudicator
Administrative Remedy Program

From: Kenneth L. Griffin #12254
SMCI Aread. D.2. B. zone Bed#81
ACBOXNIA, MS. 39451



RE: ARP Number EMCF-2010-576

Dear Mr. David Petrie

Sir, I'm witing you this sequest, reason being I want to know the status of my ARP about my property, the department heads at EMCF has continue to hie to me verbally about my property. I was transferred from EMCF and told by Maj. Grubb's that he was going to find and send me my property, but hasn't as of yet, it's very hot here in SMCI, I need my property Sir, So would you find out what taking them so long to answer my STEP3, cause I'm ready to file into Court and get my property value.

I thank you in advance for your co-operative efforts and also for you genuine understanding in this matter.

Respectfully Submitted Kunnetz Shiffin 12254

This Has been mailed to the Commissioner for a 300 Step response.

Birdtail

Page 19 of 20

MISSISSIPPI DEPARTMENT OF CORRECTIONS **Administrative Remedy Program**

NUMBER ENCT -

FIRST STEP RESPONSE FORM

Type or use ball point pen. You must return your response to the 30 days of the date the request was initiated.	Legal Claims Adjudicator within
To: henneth Griffin #42254	FMCF
Inmate's Name and DOC#	Housing Unit
FROM Major Mize	EN I/C
Person to whom 1st Step is Directed	Title/Location
" Ferson to whom 1st Step is Directed	Tille/Location
If you are not satisfied with this response, you may go to Step Two by checking below Adjudicator within 5 days of your receipt of this decision.	and forwarding to the ARP Legal Claims
M. Gulfin Masor Gruckel	is no longer
W.A EMCF IT YOU WIL	
The property sheet in ques	tion. I will
see it I can property and	Sence it
70 you.	
As A lest resort I will	need, A
price list, or lecipt, for the	property 400
are claiming you he missing	, So I can
Make Agentimen to har it	Replan! IT it
15 noft found Captain 5	Heteger Emt
1 ali	6/15/11
Signature	Date
I am not satisfied with this response and wish to proceed to Sta	p Two.
See Attached Second STEP Attached	achment:
() I wish to cancel this complaint. You do not have to return this and	time limit will cancel complaint.
Inmate's Signature DOC#	Date

PATED 10-13-2010

To'. E.L. Sparkman OCI/Superindendent 123 North President Street Jackson, MS. 39202

From: Kenneth L. Criffin 440254 SMCI. Area 2.D.J., A-20ne Sed 81 P.D. Box 1919 Leakeville, Ms. 39451

RECEIVED

OCT 15 2010

DEPUTY COMMISSIONER OF INSTITUTIONS

R.E.: Sensitive Issue Request concerning my personal property, lost or stolen at E.M.C.F.

Dear Mr. Sparkman

Sir. I am writing you this letter for help and assistance in a serse of great urgency as well as for your personal concern, Mr. Sparkman, Sir. Major Grubbs at E.M.C.F., had my personal property last he cult me to his office and showd it to me, and stated that when I transferred out he would have it showd it to me, But that day came and he didn't have it, but told me that neady for me, But that day came and he didn't have it, but told me that he would find it and send it to me. Sir, I ve done an (ARP) on the marter way back on the me that send it to me. Sir, I ve done an (ARP) on the marter way back on the me to send him way back on the marter to call him way back on the mass soft of the should he stated to her that he was looking on the 144 2010 about my property and he stated to her that he was looking for it? My sister Mrs Sylvia Robinson calld him and he told her he was going for it? My sister Mrs Sylvia Robinson calld him and he told her he was going to get it to me, but has as of yet, Mr. Sparkman, Sir no one wants to deal with the merits of my claims? my property was purchased from M.D.O.C., and the merits of my claims? my property receipt as well as my sister. Sir. I just want my property. Im sick of the shenanigans that's being played by E.M.C.F., department's heads. Would you please help me with this matter at your earlist convenience Mr. Sparkman, My or Grubbs number is 601-485-3255. I thank you in advance for your co-operative efforts Sir, as well as for your genvine understanding in this matter.

Respectfully Submitted Kennet Duffint 4225 4